

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Laspatha DeCaro Studio Corporation,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Civil Action No. 1:16-cv-00934-LGS
	:	
Rimowa GmbH, Rimowa Distribution, Inc. and	:	
Rimowa Inc.,	:	
	:	
Defendants-Third-Party	:	
Plaintiffs,	:	
	:	
v.	:	
	:	
Meiré GmbH & Co. KG, d/b/a Meiré and Meiré,	:	
and Shotview Berlin Photographers Management	:	
GmbH, d/b/a Shotview Artists Management,	:	
	:	
Third-Party Defendants.	:	
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WAIVER OF THE SERVICE OF SUMMONS

To: Rimowa GmbH, Rimowa Distribution, Inc. and Rimowa Inc.

I have received your request to waive service of a summons in this action, along with a copy of the third-party complaint, and two copies of this waiver form.

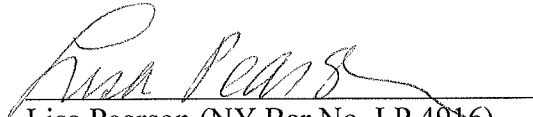
The entity I represent, Meiré GmbH & Co. KG, d/b/a Meiré and Meiré (“Meiré”), agrees to save the expense of serving a summons and complaint in this case.

I understand that Meiré reserves all rights and will keep all defenses and objections to the lawsuit, the court’s jurisdiction, and the venue of the action, but that Meiré waives any objections to the absence of a summons or of service.

I also understand that Meiré must file and serve an answer or a motion under Rule 12 within 90 days from May 17, 2016, the date when this request was sent, as Meiré is a foreign entity located outside the United States. If Meiré fails to do so, a default judgment may be entered against it.

Date: May 18, 2016

Counsel for Meiré GmbH & Co. KG, d/b/a
Meiré and Meiré


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Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

“Good cause” does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant’s property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.